

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

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Chapter 11

Subchapter V

**In re:**

**ALEXANDRE DACOSTA and  
VIVIANNE ANTUNES,  
  
Debtors.**

Case No. 22-18303 JKS

(Jointly Administered)<sup>1</sup>

Hearing Date: TBD

**CERTIFICATION IN SUPPORT OF MOTION FOR AUTHORIZATION TO SELL  
AUTOMOBILE FREE AND CLEAR OF LIENS AND INTERESTS PURSUANT TO  
BANKRUPTCY CODE SEC. 363(b) AND (f) AND FOR APPROVAL OF SUCH SALE  
SUBJECT TO HIGHER AND BETTER OFFERS, FOR PAYMENT OF ALLOWED  
EXEMPTIONS, AND FOR RELIEF FROM THE 14-DAY STAY OF  
FED. R. BANKR. P. 6004(h)**

Alexandre Dacosta and Vivianne Antunes, the Debtors in the above-captioned Chapter 11  
Case, certify as follows:

1. We submit this Certification in support of our Motion for Authorization to sell the  
estate's interest in our 1988 BMW 325i motor vehicle, free and clear of liens pursuant to 11  
U.S.C. Sec. 363(b) and for approval of the sale subject to higher and better offers, and for relief  
from the 14-day stay of Fed. R. Bank. P. 6004(h).

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<sup>1</sup> The jointly administered Debtors are Alexandre Dacosta and Vivianne Antunes, having SSNs with the last four digits of 2325 and 0411, respectively, and BAV Auto, L.L.C., having a TIN with the last four digits 7479.

2. We commenced the above-captioned case by filing a petition for relief under chapter 13 of the Bankruptcy Code on October 19, 2022. By order dated December 20, 2022, this Court converted our case to Chapter 11, Subchapter V (Docket No. 40). By order dated February 13, 2023, this Court directed the joint administration of the case with the companion case of BAV Auto, LLC, case no. 22-17933 (Docket No. 81).

3. The personal property we owned as of the commencement of the above-captioned case includes a 1988 BMW 325i automobile with approximately 100,000 miles. On our Schedule A/B, we estimated the value to be approximately \$15,000.00. We have the title certificate to the vehicle; we are aware of no party that asserts a lien or other interest in the car.

4. On our separate schedule C's we each claimed exemptions in the amount of \$2,200.00 under Code Sec. 522(d)(2) (for the total of \$4,400.00). No party has objected to our claim of exemptions.

5. Since the commencement of the case, it has been our intention to sell the car and to contribute the non-exempt proceeds from the sale toward funding a plan, or to reserve the non-exempt proceeds for the estate.

6. In March, 2023, we received an offer to purchase the car from Filipe Santos for \$15,000.00. Alexandre Dacosta recognizes Mr. Santos as a person engaged in purchase and sale of cars. We have no prior or other relationship with Mr. Santos. We arrived at the \$15,000.00 proposed sale price at arms-length.

7. We believe that the proposed sale price of \$15,000.00 is favorable. It is consistent with our own prepetition estimate of the car's value, and is consistent with sale reports and estimated values for similar vehicles provided in online sources. Annexed hereto as **Exhibit**

A are copies of a price estimate from Hagerty.com and summary of recent sales of similar vehicles from Classic.com.

8. Applicant respectfully submits that approving the proposed sale of the Property, subject to any higher or better offers made prior to final court approval, is in the best interest of the creditors and the estate. The proposed sale will produce sufficient proceeds to pay each of the Debtors' exemptions and reserve an additional \$10,400 to fund the estate or a proposed plan. Accordingly, Applicant respectfully requests the Court to approve the proposed sale.

WHEREFORE, Applicant respectfully requests this Court to enter an order authorizing her to sell the Property free and clear of judgment liens pursuant to Bankruptcy Code Sec. 363(b) and (f) to Filipe Santos for the price of \$15,000.00 or to the bidder making the highest and best offer approved at the hearing on the within motion; granting relief from the 14-day stay of Fed. R. Bankr. P. 6004(h); and permitting us to retain our allowed exemptions in the car.

Dated: 3/14/2023

/s/ Alexandre Dacosta  
Alexandre Dacosta

Dated: 3/14/2023

/s/ Vivianne Antunes  
Vivianne Antunes